IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF OREGON

MICHAEL RIAD KAADY,   Case No. 3:21-cv-1400-JR

            Plaintiff,   FINDINGS &
                                                       RECOMMENDATION

    v.

PORTLAND POLICE DEPARTMENT, et al.,

            Defendants.

_____

RUSSO, Magistrate Judge:

Pro se plaintiff, Michael Kaady, filed a complaint asserting violation of his civil rights on September 21, 2022. Plaintiff failed to submit the required filing fee and did not seek *in forma pauperis* (IFP) status. On October 12, 2021, the Court ordered plaintiff to either submit the filing fee or seek IFP status by October 26, 2021. The Court warned plaintiff that a failure to submit the fee or IFP application would result in dismissal of this action. To date, plaintiff has not submitted the fee, sought IFP status, or otherwise responded to the Court's Order. Accordingly, this action should be dismissed for failure to prosecute and failure to follow a Court Order.

CONCLUSION

This action should be dismissed, without prejudice, for failure to prosecute.

This recommendation is not an order that is immediately appealable to the Ninth Circuit Court of appeals. Any notice of appeal pursuant to Rule 4(a)(1), Federal Rules of Appellate Procedure, should not be filed until entry of the district court's judgment or appealable order. The parties shall have fourteen (14) days from the date of service of a copy of this recommendation within which to file specific written objections with the court. Thereafter, the parties shall have fourteen (14) days within which to file a response to the objections. Failure to timely file objections to any factual determination of the Magistrate Judge will be considered as a waiver of a party's right to de novo consideration of the factual issues and will constitute a waiver of a party's right to appellate review of the findings of fact in an order or judgment entered pursuant to this recommendation.

DATED this 2nd day of November, 2021.

_____/s/ Jolie A. Russo_____
Jolie A. Russo
United States Magistrate Judge